

Response to Election Requirement of April 12, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Paul ADAMS

Application No.: 10/773,481

Group Art Unit: 3751

Filed: February 6, 2004

Examiner: Steven O. DOUGLAS

For: DATUM BASED INTERCHANGEABLE FUEL CELL CARTRIDGES

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election of Species Requirement mailed on April 12, 2005, Applicant elects Species A including at least claims 1-5, 10-11, 17-19, and 26-35. This election is without traverse. Applicant respectfully reserves the right to file divisional applications directed to non-elected claims.

Furthermore, in addition to claims 1 and 32 which have been designated as generic by the Examiner, Applicant asserts that at least claims 2-4, 18, 26-28, and 31 are also generic to all claims. Each of the dependent claims 2-4, 18, 26-28, and 31 relate to elements of the invention other than the type and location of the datum, such as the type of device in which the cartridge will be used and the coordinate measurement system used to locate the datum, which elements are able to be utilized regardless of the type and location of the datum. As such, Applicant reserves the right to have the claims readable on the non-elected Species B-V considered in this application should either any of claims 1-4, 18, 26-28, 31, or claim 32 be allowable.

In light of the preceding, Applicant believes that the presently pending claims are in condition for allowance, early notice of which would be greatly appreciated. The Examiner is invited to telephone the undersigned attorney of record if he believes that such a call would materially advance the prosecution and eventual allowance of the present application.

Applicant believes that \$120 in fees for a one-month extension of time to respond, a petition for which is attached, are due in connection with the submission of this Election of Species. If any

other fees are due, the Commissioner may charge appropriate fees to H.T. Than Law Group,
Deposit Account No. 50-1980.

Respectfully submitted,

Date June 10, 2005

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